

PTO/SB/08A (08-03)

Approved for use through 10/31/2002. OMB 0651-003.1

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/849448
				Filing Date	05/04/01
				First Named Inventor	Phil Delurgio
				Group Art Unit	3623
				Examiner Name	SUSANNA M. MEINECKE DIAZ
Sheet 1 of 1				Attorney Docket Number	DT.0104

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2,3}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
SMP ↓		6826538	11-30-2004	Kalyan et al.	
		20020116348	08-22-2002	Phillips et al.	
		6731998	05-04-2004	Walser et al.	
		6934931	08-23-2005	Plumer et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ^{5,6}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

Examiner Signature	<i>S. D. T. G.</i>	Date Considered	3/20/06
--------------------	--------------------	-----------------	---------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08A (08-03)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	09/849448	
			Filing Date	05/04/01	
			First Named Inventor	Phil Delurgio	
			Group Art Unit	3623	
			Examiner Name	Susanna M. Diaz	
			Attorney Docket Number	DT.0104	
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
SMD ↓ IDS dated 3/10/06		6965867	11-15-2005	Jameson	
		6910017	06-21-2005	Woo et al.	
		6546387	04-08-2003	Triggs	
		20020198794	12-26-2002	Williams et al.	
		20020107819	08-08-2002	Oulmet	
		6405175	06-11-2002	Ng	
		20020023001	02-21-2002	McFarlin et al.	
		5615109	03-25-1997	Eder	
		5521813	05-28-1996	Fox et al.	
		5212791	05-18-1993	Damian et al.	
		4744026	05-10-1988	Vanderbei	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

Examiner Signature	<i>SMD</i>	Date Considered	3/20/06
--------------------	------------	-----------------	---------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				ATTY. DOCKET NO. DT-0104		SERIAL NO. 09/849,448	
LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56				APPLICANT DELURGIO			
				FILING DATE 05/04/2001		GROUP 3623	

OIPE
 MAR 10 2006
 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
EXAMINER	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
SMD ↓	AA	6,965,867	Jameson				
	AB	6,910,017	Woo et al.				
	AC	6,745,184	Choi et al.				
	AD	6,735,572	Landesmann				
	AE	2003/0177103	Ivanov et al.				
	AF	6,546,387	Triggs				
	AG	2002/0198794	Williams et al.				
	AH	2002/0123930	Boyd et al.				
	AI	2002/0107819	Ouimet				
	AJ	6,405,175	Ng				
	AK	2002/0023001	McFarlin et al.				
	AL	6,219,649	Jameson				
	AM	5,615,109	Eder				
	AN	5,521,813	Fox et al.				
	AO	5,212,791	Damian et al.				
	AP	5,189,606	Burns et al.				
	↓	AQ	4,744,026	Vanderbei			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
SMD ↓	BA	Barth, Brad, "Shopko Tests Automated Markdowns", WWD 10/04/00, pages 1-3.					
↓	BB	Cook, Martie, "Optimizing Space and Sales with Markdown Software", Office.com, 05/31/2000, page 1.					
↓	BC	"Essentus and Spotlight Solutions Partnership Delivers Precise Markdown Decisions", Business Wire, 04/17/00, 3 pages.					
↓	BD	Melcer, Rachel, "Local Tech Firm Creates Retail Markdown Tool", Business Courier online, 03/24/00, pages 1-4.					
EXAMINER <i>S. Ditz</i>				DATE CONSIDERED 3/20/06			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. DT-0104		SERIAL NO. 09/849,448	
LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56				APPLICANT DELURGIO	
				FILING DATE 05/04/2001	GROUP 3623
U.S. PATENT DOCUMENTS					
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	FILING DATE IF SUBCLASS APPROPRIATE
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)					
SMD	BE	Technology Strategy Incorporated, www.grossprofit.com , 03/02/00, pages 1-20.			
	BF	Kadiyali et al., "Manufacturer-retailer Channel Interactions and Implications for Channel Power: An Investigation of Pricing in Local Market", Marketing Science, Spring 2000, V. 19, Issue 2.			
	BG	Andrew B. Gelman et al., "Bayesian Data Analysis", pgs. 439-455, Chapman & Hall/CRC, First Edition 1995, Reprinted 2000.			
	BH	Hillier, Frederick S., et al., "Introduction to Operations Research", McGraw-Hill, Inc., 1995, Sixth Edition, pages 1-14.			
EXAMINER		DATE CONSIDERED			
SDW		3/28/06			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					

9-30-2003



Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56	ATTY. DOCKET NO. DT-0104	SERIAL NO. 09/849,448
	APPLICANT DELURGIO	
	FILING DATE 5/4/01	GROUP <i>B4LW</i> 3622 3623

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>Not Found</i>	CA	"PCT International Search Report", Application Number PCT/US02/14977, mailed May 5, 2003.
<i>SB</i>	CB	DYER, ROBERT F. et al., "Case Studies in Marketing Decisions Using Expert Choice," Decision Support Software, 1988, Pages 2-7, 73-108.

RECEIVED

OCT 02 2003

EXAMINER <i>Stephen J. [Signature]</i>	DATE CONSIDERED 5-10-2005	GROUP 3600
--	------------------------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.


5.21-2001

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<div style="text-align: right;">  </div> Substitute for form 1449A/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	09849448	
			Filing Date	5/4/01	
			First Named Inventor	PHIL DELURGIO	
			Group Art Unit	3623	
			Examiner Name	BYLCIW	
			Attorney Docket Number	DT:0104	
Sheet	1	of	2		

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ²			
SB	AA	5,063,506		BROCKWELL ET AL	11-05-1991	ABSTRACT
SB	AB	5,117,354		LONG ET AL	05-26-1992	ABSTRACT
SB	AC	5,249,120		FOLEY	09-28-1993	ABSTRACT
SB	AD	5,377,095		MAEDA ET-AL.	12-27-1994	C1L39-C2L2
SB	AE	5,712,985		LEE ET AL	01-27-1998	ABSTRACT
SB	AF	5,822,736		HARTMAN ET AL.	10-13-1998	ABSTRACT
SB	AG	5,873,069		REUHL ET AL	02-16-1999	C3L58-C4L48
SB	AH	5,878,400		CARTER, III	03-02-1999	C3L21-C4L11
SB	AI	5,918,209		CAMPBELL ET AL	06-29-1999	ABSTRACT
SB	AJ	5,987,425		HARTMAN ET AL.	11-16-1999	ABSTRACT, FIG. 5
SB	AK	6,009,407		GARG	12-28-1999	ABSTRACT
SB	AL	6,029,139		CUNNINGHAM ET AL	02-22-2000	ABSTRACT
SB	AM	6,032,123		JAMESON	02-29-2000	ABSTRACT
SB	AN	6,032,125		ANDO	02-29-2000	ABSTRACT, FIG. 3
SB	AO	6,078,893		OUIMET ET AL	06-20-2000	C4L40-C5L33
SB	AP	6,094,641		OUIMET ET AL	06-25-2000	C4L25-C6L26
SB	AQ	6,125,355		BEKAERT ET AL	09-26-2000	ABSTRACT

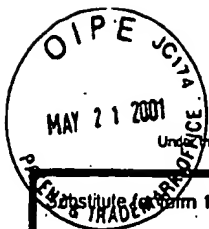
[illegible]

Examiner Signature	<i>Stephen Bytner</i>	Date Considered	5-20-2005
-----------------------	-----------------------	--------------------	-----------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/CBA (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09849448
				Filing Date	5/4/01
				First Named Inventor	PHIL DELURGIO
				Group Art Unit	2623
				Examiner Name	BYLW
Sheet	2	of	2	Attorney Docket Number	DT:0104

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	†
SB	BA	ROSSI, DELURGIO, & KANTOR, "MAKING SENSE OF SCANNER DATA," HARVARD BUSINESS REVIEW, REPRINT F00205	
SB	BB	BUCKLIN & GUPTA, "BRAND CHOICE, PURCHASE INCIDENCE, AND SEGMENTATION: AN INTEGRATED MODELING APPROACH," JOURNAL OF MARKETING RESEARCH, MAY 1992, PP. 201-215, VOL. XXIX	
SB	BC	SMITH, MATHUR, & KOHN, "BAYESIAN SEMIPARAMETRIC REGRESSION: AN EXPOSITION AND APPLICATION TO PRINT ADVERTISING," JANUARY 3, 1997; AUSTRALIAN GRADUATE SCHOOL OF MANAGEMENT, UNIVERSITY OF NEW SOUTH WALES, SYDNEY 2052, AUSTRALIA	
SB	BD	BLATTBERG AND DEIGHTON, "MANAGE MARKETING BY THE CUSTOMER EQUITY," HARVARD BUSINESS REVIEW, JULY-AUGUST 1996, PP. 136-144	
SB	BE	CHRISTEN, GUPTA, PORTER, STAELIN, & WITTINK, "USING MARKET-LEVEL DATA TO UNDERSTAND THE EFFECTIVENESS OF PROMOTIONAL ACTIVITIES," DECEMBER 22, 1995	
SB	BF	LINK, "ARE AGGREGATE SCANNER DATA MODELS BIASED?," JOURNAL OF ADVERTISING RESEARCH, SEPTEMBER/OCTOBER 1995, PP. RC8-RC12, ARF	
SB	BG	RUSSELL & KAMAKURA, "UNDERSTANDING BRAND COMPETITION USING MICRO AND MACRO SCANNER DATA," JOURNAL OF MARKETING RESEARCH, VOL. XXXI (MAY 1994), PP. 289-303	
SB	BH	JONES, "THE DOUBLE JEOPARDY OF SALES PROMOTIONS," HARVARD BUSINESS REVIEW, SEPTEMBER-OCTOBER 1999, PP. 145-152	
SB	BI	BUZZELL, QUELCH, & SALMON, "THE COSTLY BARGAIN OF TRADE PROMOTION," HARVARD BUSINESS REVIEW, REPRINT 90201, MARCH-APRIL 1990, PP. 1-9	
SB	BJ	CURRY, DIVAKAR, MATHUR, & WHITEMAN, "BVAR AS A CATEGORY MANAGEMENT TOOL: AN ILLUSTRATION AND COMPARISON WITH ALTERNATIVE TECHNIQUES," JOURNAL OF FORECASTING, VOL. 14, ISS NO. 3 (1995), PP. 181-199	
SB	BK	GURAL, "PRICE OPTIMIZATION SYSTEM," LETTER TO KANG LIM, ESQ., DTD 2/9/01, PATENTEC, REFERENCE NUMBER 7220	

Examiner Signature	<i>Stephen Bykum</i>	Date Considered	5-20-2005
--------------------	----------------------	-----------------	-----------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

†Unique citation designation number. ‡Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

8-6-2001



Form 1449 (Modified)		Atty Docket No.	Application No.:
Information Disclosure Statement By Applicant		DT: 0104	09/849,448
(Use Several Sheets if Necessary)		Applicant:	BYLCIW
		DELURGIO et al.	Group 3623
		Filing Date	UNASSIGNED
		05/04/01	

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A						
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	J							
	K							
	L							
	M							
	N							

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
SB	O	Stephen J. Hoch et al., "Store Brands and Category Management", The Wharton School, University of Pennsylvania, March 1998, pp. 1-38
SB	P	Bruce G.S. Hardie et al., "Attribute-based Market Share Models: Methodological Development and Managerial Applications", The Wharton School, University of Pennsylvania, Working Paper 98-009, pp. 1-48
SB	Q	Alan Mercer, "Non-linear Price Effects", Journal of the Market Research Society, dated 7/1/96, p. 227
SB	R	Rockney G. Walters, "Assessing the Impact of Retail Price Promotions on Product Substitution, Complementary Purchase, and Interstore Sales Displacement", Journal of Marketing, Vol. 55, April 1991, pp. 17-28
SB	S	Robert C. Blattberg et al., "How Promotions Work", Marketing Science, Vol. 14, No. 3, Part 2 of 2, 1995, pp. G122-G132
SB	T	Peter M. Guadagni et al., "A Logit Model of Brand Choice Calibrated on Scanner Data", Marketing Science, Vol. 2, No. 3, Summer 1983, pp. 203-238
SB	U	Lee G. Cooper et al., "Standardizing Variables in Multiplicative Choice Models", Journal of Consumer Research, Vol. 10, June 1983, pp. 96-108



SB	V	Eileen Bridges et al., "A High-Tech Product Market Share Model with Customer Expectations" Marketing Science, Vol. 14, No. 1, Winter 1995, pp. 61-81
SB	W	Richard R. Batsell, et al., "A New Class of Market Share Models", Marketing Science, Vol. 4, No. 3, Summer 1985, pp. 177-198
SB	X	Jagmohan S. Raju, "The Effect of Price Promotions on Variability in Product Category Sales", Marketing Science, Vol. 11, No. 3, Summer 1992, pp. 207-220
SB	Y	Robert J. Dolan, "How Do You Know When the Price Is Right?", Harvard Business Review, September-October 1995, pp. 5-11
SB	Z	Fusun Gonul, "Modeling Multiple Sources of Heterogeneity in Multinomial Logit Models: Methodological and Managerial Issues", Marketing Science, Vol. 12, No. 3, Summer 1993, pp. 213-229
SB	AA	Robert M. Schindler et al., "Increased Consumer Sales Response through Use of 99-Ending Prices", Journal of Retailing, 6/1/96, p. 187
SB	BB	Francis J. Mulhern et al., "The Relationship between Retail Price Promotions and Regular Price Purchases", Journal of Marketing, Vol. 59, October 1995, pp. 83-90
SB	CC	John Deighton et al., "The Effects of Advertising on Brand Switching and Repeat Purchasing", Journal of Marketing Research, Vol. XXXI, February 1994, pp. 28-43
SB	DD	Sunil Gupta, "Reflections on 'Impact of Sales Promotions on When, What, and How Much to Buy'", Journal of Marketing Research, Vol. XXX, November 1993, pp. 522-24
SB	EE	Richard A. Briesch, "Does It Matter How Price Promotions Are Operationalized?", Marketing Letters 8:2 (1997), pp. 167-181
SB	FF	Byung-Do Kim et al., "Modeling the Distribution of Price Sensitivity and Implications for Optimal Retail Pricing", Journal of Business & Economic Statistics, July 1995, Vol. 13, No. 3
SB	GG	William R. Dillon et al., "A Segment-level Model of Category Volume and Brand Choice", Marketing Science, Vol. 15, No. 1, 1996, pp. 38-59
SB	HH	Stephen J. Hoch et al., "Determinants of Store-Level Price Elasticity", Journal of Marketing Research, Vol. XXXII (February 1995), pp. 17-29
SB	II	Magid M. Abraham et al., "An Implemented System for Improving Promotion Productivity Using Store Scanner Data", Marketing Science, Vol. 12, No. 3, Summer 1993
SB	JJ	Peter S. Fader et al., "Modeling Consumer Choice among SKUs", Journal of Marketing Research, Vol. XXXIII (November 1996), pp. 442-452
Examiner <i>Stephen Pylant</i>		Date Considered 5-20-2005

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



9-7-2001

Sheet 1 of 1

LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. DT0104	SERIAL NO. 09/849,448
	APPLICANT Delurgio et al.		
	FILING DATE 05/04/01	GROUP 3623 BILCIW Unassigned	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SB	AA	6,205,431	03/20/01	Willemain et al.	705	10	
SB	AB	5,459,656	10/17/95	Fields et al.	364	401	
SB	AC	5,299,115	03/29/94	Fields et al.	364	401	
SB	AD	5,799,286	08/25/98	Morgan et al.	705	30	
SB	AE	5,732,401	03/24/98	Conway	705	29	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	AI		"Report of Novelty Search" by Patentec, dated July 25, 2001

EXAMINER

Stephen Bylem

DATE CONSIDERED

5-20-2005

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



5-31-2002

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete If Known	
				Application Number	09/849448
				Filing Date	5/4/2001
				First Named Inventor	Phil Delurgio
				Group Art Unit	3623
				Examiner Name	BYLW
				Attorney Docket Number	DT.0104
Sheet	1	of	1		

RECEIVED
JUN 07 2002
Technology Center 2100

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ²			
SB	AA	6,308,162		Quimet et al	10/23/2001	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number ²	Kind Code ³			
SB	BA	WO 98/53415		Quimet et al	11/26/1998	

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
SB	CA	Montgomery: "The Impact of Micro-Marketing on Pricing Strategies", 1994 The University of Chicago, volume 55/12-A of Dissertation Abstracts International, page 3922 (ABSTRACT ONLY).	
SB	CB	Busch: "Cost modeling as a technical management tool", Research-Technology Management, Nov/Dec 1994, vol. 37, no. 6, pages 50-56.	
SB	CC	"PacifiCorp IRP: Renewables Costs Must Drop 65% to be Competitive with Gas"	
Examiner Signature	Stephen Bylawn		Date Considered 5-20-2005

RECEIVED
JUN 13 2002
GROUP 3600

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount
of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND
FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SEP 02 2003

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

SERIAL NO.
09/849,448

**DOCUMENTS CITED BY APPLICANT
TO COMPLY WITH 37 C.F.R. 1.56**

APPLICANT

DELURGIO

FILING DATE
05/04/01

GROUP BYLCIW
~~3622~~ 3623

[illegible]

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
SB	BA	WO 98/53415	11/26/1998	Ouimet et al.	<div style="text-align: center;"> RECEIVED SEP 05 2003 GROUP 3600 </div>			

SB	CA	"PCT International Search Report", Application Number PCT/US02/36710, mailed July 21, 2003.
SB	CB	YOEMAN, JOHN CORNELIUS JR., "The Optimal Offering Price for Underwritten Securities", 1993, Volume 55/01-A of Dissertation Abstracts International, Page 4743 (Abstract Only).

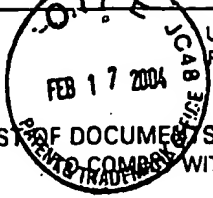
EXAMINER *Stephen Byland*

DATE CONSIDERED 5-20-2005

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

2-17-2004

Sheet 1 of 1

 <p>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p>LIST OF DOCUMENTS CITED BY APPLICANT IN CONNECTION WITH 37 C.F.R. 1.56</p>	ATTY. DOCKET NO. DT-0104	SERIAL NO. 09/849,448
	APPLICANT DELURGIO	
	FILING DATE 05/04/2001	GROUP BYLCW 3622 3623

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SB	AA	6,456,986	09/24/2002	Boardman et al.			
SB	AB	6,397,193	05/28/2002	Walker et al.			
SB	AC	6,341,268	01/22/2002	Walker et al.			
SB	AD	6,134,534	10/17/2000	Walker et al.			
SB	AE	6,052,686	04/18/2000	Fernandez et al.			
SB	AF	5,933,813	08/03/1999	Teicher et al.			
SB	AG	5,790,643	08/04/1998	Gordon et al.			
SB	AH	5,765,143	06/09/1998	Sheldon et al.			

RECEIVED
FEB 28 2004

GROUP 3600

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	CA		"PCT International Search Report", Application Number PCT/US03/30488, mailed January 28, 2004.					
SB	CB		Bruce G.S. Hardie et al., "Attribute-based Market Share Models: Methodological Development and Managerial Applications", University of Pennsylvania, Working Paper 98-009, pp. 1-48, 1998.					
SB	CC		Rossi, Delorgio, & Kantor, "Making Sense of Scanner Data," Harvard Business Review, Reprint F00205, 2000.					
SB	CD		"PacifiCorp IRP: Renewables Costs Must Drop 65% to be Competitive with Gas," dated December 8, 1995.					
SB	CE		Robert J. Dolan, "How Do You Know When the Price is Right?", Harvard Business Review, September-October 1995, P. 4-11					

EXAMINER

Stephen Bylert

DATE CONSIDERED

5-20-2005

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

7-12-2004

Sheet 1 of 1



U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56	ATTY. DOCKET NO. DT-0104	SERIAL NO. 09/849,448
	APPLICANT DELURGIO	
	FILING DATE 05/04/2001	GROUP BYLW 3622 3623

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SB	AA	6,725,208	04/20/2004	Hartman et al.			
SB	AB	6,341,269	01/22/2002	Dulaney et al.			
SB	AC	5,377,095	12/27/1994	Maeda et al.			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	BA	Alan L. Montgomery and Peter R. Rossi, "Estimating Price Elasticities with Theory-Based Priors," Journal of Marketing Research Vol. XXXVI, November 1999 (pp 413-423).
SB	BB	Boatwright, Peter et al., "Account-Level Modeling for Trade Promotion: An Application of a Constrained Parameter Hierarchical Model," Journal of the American Statistical Association, Vol. 94, No. 448, December 1999 (pp 1063-1073).
SB	BC	Alan L. Montgomery, "Creating Micro-Marketing Pricing Strategies Using Supermarket Scanner Data," Marketing Science, Vol. 16, No. 4, 1997 (pp 315-337).
SB	BD	Robert C. Blattberg and Edward I. George, "Shrinkage Estimation of Price and Promotional Elasticities: Seemingly Unrelated Equations," Journal of the American Statistical Association, Vol. 86, No. 414, June 1991 (pp 304-315)
SB	BE	Arnold Zellner, "On Assessing Prior Distribution sand Bayesian Regression Analysis With G-Prior Distributions," Elsevier Science Publishers, 1986 (pp 233-243)
SB	BF	A.F.M. Smith, "A General Bayesian Linear Model," University of Oxford, April 1972.
SB	BG	D.V. Lindley and A.F.M. Smith, "Bayes Estimates for the Linear Model," University College, December 1971.
SB	BH	George C. Tiao and Arnold Zellner, "On the Bayesian Estimation of Multivariate Regression," University of Wisconsin, January 1964.
SB	BI	Arnold Zellner, "An Efficient Method of Estimating Seemingly Unrelated Regressions and Tests for Aggregation Bias," University of Wisconsin, June 1962.

EXAMINER <i>Stephen Bylinski</i>	DATE CONSIDERED 5-20-2005
-------------------------------------	------------------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEP 14 2004
U.S. DEPARTMENT OF
PATENT AND TRADEMARK OFFICE

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

SERIAL NO.
09/849,448

APPLICANT

FILING DATE
05/04/2001

GROUP

BY LCW
3622 3623

[illegible][illegible]

EXAMINER

Stephen Bylaur

DATE CONSIDERED

5-20-2005

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[illegible]

Sheet 1 of 1

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

5-31-2005

Sheet 1 of 1



LIST OF DOCUMENTS CITED BY APPLICANT
TO COMPLY WITH 37 C.F.R. 1.56

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
DT-0104

SERIAL NO.
09/849,448

APPLICANT

DELURGIO

FILING DATE
05/04/2001

GROUP **BYLW**
3622 3623

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SB	AA	6,697,824	02/24/04	Bowman-Amuah			
SB	AB	6,202,070	03/13/01	Nguyen et al.			
SB	AC	5,694,551	12/02/97	Doyle et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	BA	Scherage, Dan, "You Do the Math," Chain Store Age, v76, n7, July 2000.						
	BB	"Gymboree Enhances Price Management," Retail Systems Alert, Volume 13, Number 6, June 2000. (DID NOT FIND)						
SB	BC	Binkley, James K.; Connor, John M., "Grocery Market Pricing and the New Competitive Environment." Journal of Retailing, v74, n2, Summer 1998.						

EXAMINER

Stephen Byrum

DATE CONSIDERED

6-13-2005

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/849448
				Filing Date	5/4/2001
				First Named Inventor	PHIL DELURGIO
				Group Art Unit	3623
				Examiner Name	STEPHEN BYLCIW
				Attorney Docket Number	DT.0104
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ^{2 (if known)}			
SMD		20020165834	11-07-2002	Delurgio et al.	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
SMD	AA	"PCT International Search Report" Application Number PCT/US02/14977. Mailed May 5, 2003.	
	AB	"Report of Novelty Search" by Patentec. Dated February 9, 2001.	
↓	AC	"Gymboree Enhances Price Management." Retail Systems Alert. Volume 13, Number 6. June 2000.	

Examiner Signature	A. L. G. 3	Date Considered	11/2/05
-----------------------	------------	--------------------	---------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.